

STUDENT POLICIES

SERIES 300

*[This template is one section of a five-part Charter School Policy Series.
For general instructions, refer to the [Series Introductory Notes](#)]*

STUDENT POLICIES AND PROCEDURES

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STUDENTS AND PARENTS POLICIES

300. INTRODUCTION

These policies provide direction and information for members of the School.

[INSERT SCHOOL MISSION or OTHER RELEVANT INFORMATION]

With everyone's cooperation, the School will be a thriving community where students succeed in a safe, supportive, and stimulating educational environment.

300.1. *Parent-Student Commitment and Expectations*

The School cannot succeed in its mission without commitment and effort from the parents/legal guardians ("Parents" or "Parent") who enroll their children. A strong partnership between Parents and the School is essential. Parents and families support the School's mission and fulfill their primary role as teachers of their children when they respect and support School efforts and staff, promote the desire for and pursuit of learning, and model ethical and relational integrity. Respect for and support of the School's mission includes the following commitments on the part of every parent:

- to monitor and support School policies and procedures;
- to ensure prompt arrival to School and to promote their students' daily attendance to the maximum extent feasible;
- to nourish their students' physical and emotional health to promote learning;
- to help their students complete assignments and other academic demands and to communicate with staff as necessary to address particular needs;
- to be willing to volunteer and financially support the School's work as feasible;
- to cooperate with School staff in providing needed information or other support when reasonably requested; and
- to participate responsibly in classroom and School meetings and functions.

300.2. *School Calendar*

Every year, the School will publish a School calendar. The School calendar shall include the School year's beginning and ending dates, staff workdays dates, holidays, and annual leave days. The calendar shall include at least the minimum number of make-up days required by law.

300.3. *Legal Compliance, School Charter, and Policy Changes*

The School, by law, is a North Carolina public school operated by a private, tax-exempt non-profit corporation. As a charter school, it is exempt from many state education laws that apply to traditional public schools. The School shall comply with all remaining state laws and applicable federal laws and regulations, including, but not limited to, such laws and regulations governing employment, the environment, disabilities, civil rights, children with special needs, transportation, and student records. The School shall also comply with all applicable federal, state, or local health and safety laws and regulations, which apply to traditional public school systems. The School shall be nonsectarian in its programs, admission policies, employment

practices, and all other operations. It shall not charge tuition or fees, except that it may charge fees that the local school district charges.

The School's state-approved charter is like a contract. Therefore, the School shall also operate consistent with all provisions in its charter.

301. ADMISSION, ENROLLMENT, AND PLACEMENT

301.1. Eligibility for Admission

As required by state law ([G.S. 115C-218.45\(a\)](#)¹), any child who qualifies for admission to a North Carolina public school qualifies for admission to the School. Admission will not be determined according to the school attendance area in which a student resides.

The School, in any of its educational programs or activities, shall not discriminate against any student on the basis of ethnicity, national origin, gender, or disability. Except as otherwise provided by law or the mission of the School as set out in the charter, the School shall not limit admission to students on the basis of intellectual ability, measures of achievement or aptitude, athletic ability, disability, race, creed, gender, national origin, religion, or ancestry.

301.2. Admission Priority

By law (G.S. 115C-218.45(f)), the School may and will give enrollment priority to the following individuals

(1) Siblings - Currently Enrolled: Siblings of currently enrolled students who were admitted to the charter school in a previous year. "Siblings" includes any of the following who reside in the same household: half-siblings, step-siblings, and children residing in a foster family home.

(2) Siblings - Previously Enrolled: Siblings of students who have completed the highest grade level offered by that school and who were enrolled in at least four grade levels offered by the charter school or, if less than four grades are offered, in the maximum number of grades offered by the charter school.

(3) Employee/BOD Children: Children of Limited to no more than fifteen percent (15%) of the school's total enrollment, unless granted a waiver by the State Board of Education, the following:

- a. Children of the school's full-time employees.
- b. Children of the charter school's board of directors.

(4) Former Students: A student who was enrolled in the charter school within the two previous school years but left the school (i) to participate in an academic study abroad program or a competitive admission residential program or (ii) because of the vocational opportunities of the student's parent.

¹ https://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_115C/GS_115C-218.45.html (Feb. 21, 2023)

(5) Students from Another Charter School: A student who was enrolled in another charter school in the State in the previous school year that does not offer the student's next grade level.

(6) Students Per Articulation Agreement: A student who was enrolled in another charter school in the State in the previous school year that does not offer the student's next grade level and both of the charter schools have an enrollment articulation agreement to accept students or are governed by the same board of directors.”

301.3. Open Enrollment

The School will hold an annual open enrollment period [REDACTED]
[INDICATE ENROLLMENT PERIOD OF AT LEAST 30 DAYS.]

The School will accept applications in the following manner: [REDACTED]
[CLARIFY IF APPLICATIONS WILL BE SUBMITTED FULLY ONLINE OR IF PAPER APPLICATIONS WILL BE ACCEPTED. IF APPLICABLE, NOTE IF APPLICATIONS MUST BE POSTED, POSTMARKED, OR RECEIVED BY A DESIGNATED DATE.]

Enrollment packets contain the following categories of information: [REDACTED]
[IDENTIFY WHAT IS CONTAINED IN THE ENROLLMENT PACKET AND HOW LONG FAMILIES HAVE TO COMPLETE ENROLLMENT FORMS. INDICATE WHETHER THERE WILL BE OPTIONAL FORMS FOR FAMILIES TO OPT INTO A WEIGHTED LOTTERY, IF OFFERED, FOR EDUCATIONALLY OR ECONOMICALLY DISADVANTAGED STUDENTS.]

Families will have [REDACTED] [TIME PERIOD] to complete enrollment forms.

301.4. Lottery

[ADDRESS HOW FAMILIES WILL BE NOTIFIED IF THEY RECEIVE A SEAT OR IF THEY HAVE A NUMBER ON THE WAITLIST. SPECIFY HOW THE SCHOOL WILL MOVE ON TO THE NEXT STUDENT ON THE WAITLIST IF A FAMILY DOES NOT RESPOND.]

At the enrollment period's conclusion, if the number of a particular grade's applicants does not exceed the number of available spaces for that grade level, all eligible students who have correctly applied by the deadline will be accepted. At the enrollment period's closing, a lottery system will determine admission eligibility if the number of a particular grade's applicants exceeds available spaces for that grade level.

Students who are not offered enrollment will be placed on a waitlist. After all grade-level spaces are filled, the lottery will continue until all applying students have been assigned a priority number on the waitlist.

The waitlist will not carry into the next School year but will remain and be used for admission should a space become available during the current School year for which it was conducted.

In the event a space becomes available during the current School year, the Parent of a student who is first on the waitlist for that grade shall be notified in writing and offered enrollment. The student's Parent will have no more than five business days to accept admission by notifying either the Director (or designee) of the decision to accept the enrollment offer. If the position is declined or not accepted within five business days, the next person on the waitlist shall be contacted. This process will continue until the space is filled or the waitlist is exhausted.

301.5. *Placement*

The School reserves the right to place students in grade levels determined by competency tests, regardless of the student's grade level at a previous School. For example, if a student applying to enter the fourth-grade tests more than one year below the fourth-grade competency level, the School may offer admission to the lower and more appropriate grade.

301.6. *Withdrawal*

Parents choosing to withdraw a student from the School should contact the School Office and follow the procedures established by the School.

302. TRANSPORTATION AND ATTENDANCE

302.1. *Transportation and Arrival*

By state law, the School may, if it chooses, provide transportation for its students. Regardless, the School shall develop and maintain a transportation plan so that transportation is not a barrier to any student who resides in the local school administrative unit where the School is located.

Students must arrive at the School on time unless they have a legitimate excuse for being tardy or absent. Students and parents should allow adequate time for traveling to the School, possible traffic problems or weather conditions, other transition times, and other factors that may affect promptness.

302.2. *Tardiness*

Students who are not in their classrooms at the time the School bell rings are considered tardy. Students who arrive late due to an excused reason must obtain an approval slip from the office. For an excused tardy, students are required to produce a note from their parent indicating the reason for late arrival, or their parent must accompany the student to the School office. The reason for the late arrival must be listed on the notice. After receiving their approval slip, students shall proceed immediately to class, delivering the slip to the homeroom or other appropriate classroom teacher.

302.3. *Attendance*

Failure to attend School undermines a student's education and the School's academic success. As such, absences may subject a student to disciplinary action up to and including expulsion, as

well as social services or juvenile justice officials investigating the student's parents, based on mandatory attendance and child neglect statutes.

Excused reasons for tardiness or absences may include the following:

- Illness or injury;
- Medical, dental, or other appointment with a health care provider;
- Necessary religious observances;
- Involvement in a traffic or other accident;
- Participation in a valid and important educational opportunity, such as travel, with the Director's prior approval;
- Other unavoidable and excusable reasons as determined by the Director (or designee).

302.4. *Compulsory Attendance*

The Director shall oversee adherence to attendance rules and regulations and notify parents of their responsibility when repeated violations occur. Teachers will monitor and report student absences daily and follow all rules and regulations concerning attendance. To be counted as present, a student must attend at least one-half of the School day (including attending required School activities at any place other than the School).

302.5. *Absences*

To be excused for an absence, a student shall submit, within three school days of the absence, when reasonably feasible, a note signed by the parent explaining the absence's reason(s). The note must be submitted to the School office and directed to the Director (or designee). Failure to comply with these procedures may result in the absence being unexcused.

The following procedures shall apply in notifying parents after the respective number of unexcused absences:

- Three Days: notify parents of concerns;
- Six Days: notify parents by certified mail of a potential compulsory attendance requirements violation and of the duty to report them to government officials if the absences cannot be reasonably explained or if they continue;
- Ten Days: notify the parents by certified mail pursuant to #2 above, plus require a conference with the parents to discuss the reasons for the absences, the corrective efforts being made, possible disciplinary action, up to and including expulsion, and reporting to legal authorities.

303. ACADEMICS AND INSTRUCTION

The School's academic program is designed to foster an excellent learning environment that meets and exceeds student performance standards the State Board of Education adopts and those contained in its charter. By law, the School shall conduct, at a minimum, student assessments

required by the State Board of Education.

303.1. Academic Expression

Controversial issues arising from classroom situations and subject matter may be discussed and explored in classrooms if handled with appropriate discretion and respect and without discriminating based on viewpoints. Students' age, intelligence, and experience are important considerations regarding the appropriateness of materials, ideas, and information presented. Teachers will take into account their students' relative maturity and the need for guidance in studying and discussing such issues.

Teachers cannot advocate their own, or any other, particular viewpoint. Teachers will be careful to not inhibit or undermine students' dignity, personality, or intellectual expression. Statements made or materials used in the classroom must serve a valid educational purpose and be consistent with the School's curriculum and curricular goals.

303.2. Curriculum

303.2.1. Instructional Material Selection

The School strives to select the most educational suitable instructional materials for each grade level based on various factors including academic content, cost, student maturity level and relation of the materials to the School's overall mission and grade-level objectives. The School's administration exercises its discretion, subject to Board supervision, in curricular decisions about grade-level goals, content, and delivery.

303.2.2. Parents Requesting to Review Curriculum Selection

If a parent objects to the use of specific instructional materials, the parent may file a written request with the Director briefly stating the nature of the objection(s) and/or requesting that the material not be made available to the parent's child. The School may establish a Review Committee to address all such requests. The following steps apply to a parent request for review:

1. The Parent must file all objections in writing.
2. The Review Committee will review the challenged material. This review may involve any of the following:
 - examining the request and pertinent material;
 - checking the material's general acceptance by reading reviews and consulting recommended lists;
 - considering any explanation contained in the request form;
 - determining the extent to which the material supports the curriculum; and
 - considering the material's other relevant information and attributes, including its overall quality, uniqueness, creativity, authorship, publisher, publication date, and its appropriateness for the age group concerned.

3. The Review Committee will make a decision regarding the material and prepare a written recommendation to the Director.
4. The Director may approve, modify, or overrule the Review Committee's recommendation.
5. Pending the review process's outcome, a Parent may request of the Director that the material not be used by the Parent's child pending a final determination. Such a request may be granted at the Director's discretion.

303.3. *Children with Special Needs*

Legal Compliance and Rights. The School admits and serves special needs children under the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. 1400 *et seq.*), state legislation (G.S. 115C-106 *et seq.*), and pursuant to the State Board of Education's rules and policies.

Students with special needs shall receive a free appropriate public education in the least restrictive and appropriate environment. The School will provide every student suspected of having special needs with a multidisciplinary diagnosis and evaluation.

For each student entitled to special education services, the School will:

1. provide testing and evaluation in a nondiscriminatory manner, administered in the child's native language as necessary;
2. provide the Parent, in writing, the results, findings, and proposals based upon an evaluation;
3. develop an Individualized Education Plan (IEP) for qualified students;
4. provide special education and related services in the least restrictive appropriate environment to each qualified student based upon the IEP; and
5. provide the Parent written notice reasonably before the School proposes to initiate or change the student with special needs identification, evaluation, or educational placement. The written notice will fully explain all procedural safeguards available to the Parents.

Confidentiality. The School and all employees shall protect the confidentiality of any personally identifiable information collected, used, or maintained related to students with special needs. A confidential folder shall be maintained for each child evaluated for or receiving exceptional student services and located in a secure office. Access to such files shall be limited to appropriate personnel and parents in compliance with state and federal law. A confidential folder shall be maintained for each child evaluated for or receiving exceptional student services and located in a secure office. Access to such files shall be limited to appropriate personnel and parents in compliance with state and federal law.

Discipline, Continued Education, and Manifestation Determination. Children identified as special needs students are entitled to special rights related to possible disciplinary actions. The School will ensure that all such rights shall be followed as established by federal and state law and policy when enforcing the student's conduct code and the imposition of possible short- and

long-term suspension or placement in an interim alternative education setting. Except in short-term suspensions, students subject to long-term suspension or alternative placements are entitled to continued educational and related services except in short-term suspensions.

Parent Rights Information. The School shall provide to all parents of special needs students a copy of the state’s handbook, [“Parent Rights & Responsibilities in Special Education: NC Notice of Procedural Safeguards.”](#)² The [Spanish edition](#) should be provided to Spanish-speaking parents.³

303.4. *Extra-Curricular Activities and Athletics*

The School offers and encourages participation in extracurricular activities as part of a complete education. Such participation, however, is a privilege, not a right. A student’s behavior, attendance, and academic standing may determine eligibility to participate in extracurricular activities. Any activity’s advisor may set conduct or other academic or performance standards as a condition of initial or continued participation, provided such standards are clearly established and consistent with the School’s mission.

If a student is disciplined for violating the student conduct code, his or her extracurricular activity participation may be affected, subject to the Director’s discretion. The staff activity director or head coach, in consultation with the Director as necessary, is normally responsible for decisions relating to disciplinary action associated specifically with the extracurricular activity.

303.5. *Evaluation*

All parents will be informed regularly of their students' academic progress based on procedures approved by the Director. The Board also encourages the administration and staff to work together to improve evaluating student progress methods and develop meaningful ways to report their achievement to parents.

[CONSIDER INCLUDING INFORMATION ABOUT THE GRADING CALENDAR, GRADING SCALES, ETC.]

303.6. *Field Trips*

Field trips are part of the educational program to support and enhance the educational and community experience. School-sponsored field trips will be well-planned and evaluated in terms of their educational and social appropriateness. Field trips will be reasonable in length, activity, and difficulty, considering the students’ age and maturity and available resources. Overnight trips require special precautions to assure student well-being and to avoid or minimize, to the extent possible, interference with other class studies and attendance.

² <https://www.dpi.nc.gov/media/11182/download?attachment> (Feb. 21, 2023)

³ <https://www.dpi.nc.gov/media/11183/download?attachment> (Feb. 21, 2023)

At the beginning of each academic year, parents must sign a waiver of liability and permission for their children to attend all School-sponsored field trips.

303.6.1. Chaperones and Drivers

Chaperones and drivers who volunteer to transport students for field trips must sign and submit to the School any information required by the Director in advance of a field trip. They must also submit a copy of a valid driver's license and proof of their automobile's current insurance. Each teacher must gather this information from drivers before leaving on the field trip. Those who cannot provide the information required may not transport students.

Every student being transported must have and use an appropriate seat belt. Students may not ride in the front seat of a vehicle equipped with air bags unless such students are of proper size, weight, and age. Drivers should arrive early, with their vehicles adequately fueled and in good and proper condition. Teachers will provide to each driver any necessary maps, directions and instructions, a roster of students being transported by the driver, and those students' emergency contact information.

303.6.2. Guidelines

Appropriate instructional activities will precede and follow each field trip. Before each field trip, the teacher will submit to the Director a written outline of the trip's instructional objectives. Procedures for requesting field-trip approval and other related activities may also be established by the Director. Guidelines include the following:

1. The teacher will send permission requests to parents at least ____ days before the date of the trip, indicating the trip's date, time, and purpose.
2. Parents may be required to provide special additional written permission for their children to participate in a particular field trip. Parental approval forms must be filed with the Director before the field trip. Copies of these forms are to be retained for at least the remainder of the School year and longer, as circumstances require.
3. All field trips will normally begin and end at the School. When a field trip is made to a place of business or industry, the teacher must be assured prior to beginning such a tour that an employee of the host company will serve as the guide. A reasonable number of adult personnel and volunteers shall accompany and supervise students on all field trips. The School, if feasible, will provide an appropriate educational experience and proper supervision for any students whose parents do not wish their children to participate in a field trip.

303.7. *Moment of Silence and Pledge of Allegiance*

As required by state law, the School shall: (i) display the United States and North Carolina flags in each classroom when available; (ii) call for the recitation of the Pledge of Allegiance on a daily basis; and (iii) provide age-appropriate instruction on the flags' and the Pledge of Allegiance's meaning and historical origins. The School shall not compel any individual student

to stand or salute the flags or to recite the Pledge of Allegiance. If flags are donated or are otherwise available, flags shall be displayed in each classroom.

303.8. *Promotion, Retention, and Graduation*

The Board recognizes that some students may benefit by remaining in the same grade for an additional year. The Board supports students being placed at the grade level to which they are best suited and providing additional years of education at the same level as necessary. The Director shall be responsible for the final decision regarding any student's promotion or retention. The Director's decision will be based on the student's best interest.

Factors to be considered in promotion and retention decisions include, but are not limited to, achievement based on test results and informal assessments, physical, social, and emotional maturity, effort, ability, and parental attitude and responsibility.

If a student appears to be a candidate for retention, the student's teacher or team should, if feasible, notify the Director and the student's parents by the end of the first semester of the academic year at the latest. Teachers are to provide additional attention to and remediation for the student to offer reasonable opportunities for the student to achieve promotion.

Minimum graduation requirements are established by the North Carolina Board of Education. The School will provide students and parents with specific information regarding the standards and credits applicable to graduation eligibility.

303.9. *Religion and Free Speech*

As a public School, the School will remain neutral on matters of religion, politics, and other personal values and beliefs protected by the United States Constitution while also protecting individual students' and staff members' right to exercise their religious and free speech rights. Consistent with the School's academic mission, the School shall promote respect for and civility regarding individuals' personal beliefs and will also strive to neutrally instruct students about the important role of religion and free expression as part of our heritage.

303.10. *Testing*

The School will conduct standardized testing as required by state and federal law and provide remediation and intervention for students not scoring at required levels. A testing coordinator will monitor compliance with this policy. All licensed testing personnel, teachers, and School administrators are subject to the state Testing Code of Ethics regarding the statewide testing program.

304. CONDUCT, DISCIPLINE, AND PROCEDURES

304.1. *Student Conduct Code*

The Student Conduct Code (“Student Code” or “Code”) governs student behavior occurring on School property, at School-sponsored activities, and all off-campus activity that threatens School safety or property or that substantially disrupts, or is likely to disrupt, School operations.

304.2. *Generally Prohibited Behavior*

Students shall comply with all School- and safety-related directions of School administrators, teachers, substitute teachers, student teachers, teacher aides, bus drivers, and all other School personnel who are authorized to give such directions. Inappropriate conduct includes, but is not limited to, verbal, nonverbal, or physical conduct showing disrespect, repetitive tardiness, skipping class/School, leaving campus without permission, or being in an unauthorized area. Failure to comply may result in short-term suspension.

304.3. *Class/Activity Disturbance*

Any physical or verbal disturbance which occurs within the School environment and interrupts or interferes with teaching or orderly conduct of class/School activities/School transportation is prohibited.

304.4. *Inappropriate Language*

Cursing or using vulgar, profane, or obscene language is prohibited.

304.5. *Improper Dress*

Students shall dress in a way that is compatible with the School’s mission and an effective learning environment. Students shall not wear clothing or other attire that is disruptive, provocative, inappropriately revealing of their body, profane, vulgar, offensive, or obscene, or endangers students’ or others’ health or safety. Prohibited attire includes, but is not limited to, that which involves:

1. Exposed undergarments, buttocks, cleavage, or pubic areas (includes see-through clothing);
2. Excessively sagging or tight pants or other apparel;
3. Midribs or strapless shirts or dresses;
4. Messages or illustrations that are lewd, indecent, or vulgar or that advertise any product or service prohibited by law to minors;
5. Non-religious head coverings of any kind;
6. Chains, spikes, or other apparel reasonably perceived or used as a weapon;
7. Gang, or reasonably perceived gang, symbols or clothing; or
8. Other attire of which a student is reasonably notified as being improper under this policy by authorized School personnel.

The School will strive to reasonably accommodate dress that is necessary to satisfy a student’s fundamental religious beliefs or a medical or physical need.

304.6. *Inappropriate Literature and Illustrations*

Creating, possessing, or distributing literature or illustrations which significantly disrupt the educational process is prohibited.

304.7. *Tobacco*

No student shall possess, display, or use any tobacco product. This restriction applies even when the student is on School system property or at any School-sponsored activity as a visitor or spectator. For the purpose of this policy, the following definitions shall apply:

Tobacco Product: cigarettes, cigars, pipes, chewing tobacco, snuff, and any other items containing or reasonably resembling tobacco or tobacco products.

Tobacco Use: smoking, chewing, dipping, or any other use of tobacco products.

Display: having any tobacco product in a location or position visible to students or School personnel. Displaying tobacco products does not extend to display that has a legitimate instructional or pedagogical purpose and is teacher- or Director-approved.

The Director may permit tobacco products to be included in instructional or research activities in the School building if the faculty member overseeing the instruction or research conducts or supervises the activity and the activity does not involve smoking, chewing, or otherwise ingesting the tobacco product.

304.8. *Controlled Substances and Alcohol*

The School is committed to being a community free of unhealthy substances, including illegal controlled substances, tobacco, and alcohol. Using illegal controlled substances or alcohol while on School property, at any school-related activity, or in any other venue where the conduct in question is likely to substantially impact or undermine the operation or well-being of the School or its members is prohibited.

304.9. *Indecent Exposure/Sexual Behavior*

No student shall engage in behavior that is indecent, involves excessive or inappropriate touching, or is otherwise of a sexual or sexually-suggestive nature.

304.10. *Theft*

No student shall steal, attempt to steal, aid in or conceal stealing, or knowingly possess stolen property if not attempting to return or turn in such property.

304.11. *Unacceptable Use of Electronic Technology*

Students shall comply with the School’s Acceptable Use Policies: the General Use and Student Policies, specifically. These are found in Policy Series **500**. [INDICATE CORRECT POLICY REFERENCE #s. ALSO, CONSIDER ADDING THE RELEVANT POLICY HYPERLINK ADDRESS(ES) IF THEY ARE AVAILABLE ONLINE OR APPENDING THOSE POLICIES TO THIS 300 POLICY SECTION, WITH EXPLANATION.]

304.12. *Weapons*

The School strives to maintain an environment free of all weapons not legally possessed by law enforcement officials or otherwise authorized by the Director or the Board. No School student, employee, or other agent shall carry or encourage another person to carry, whether openly or concealed, a weapon as defined below onto School property at any time.

A “*Weapon*” includes a gun, rifle, pistol, or other firearm of any kind; any dynamite cartridge, bomb, grenade, mine, or powerful explosive; any knife, BB gun, air rifle, air pistol, slingshot, blackjack, metal knuckles, bludgeon, bowie knife, switchblade, dirk, dagger, leaded cane, stun gun or other electronic shock weapon; or any sharp-pointed or edged instrument except for the following: instructional supplies, unaltered nail files and clips, and tools used solely for preparing food, instruction, and maintaining School property or otherwise authorized or necessary to support School operations.

Any person aware that an unauthorized weapon has been carried onto School property or possessed at a School function shall immediately notify a teacher or the Director.

304.13. *Harassment and Bullying*

The School is committed to providing an environment conducive to learning and free from harassment and bullying based on race, religion, gender, ethnicity, national origin, disability, or any other illegal conduct. Other forms of harassment and bullying are also prohibited, including those based on other distinguishing characteristics such as, but not limited to, physical, social, academic, emotional, and socio-economic status or simply based on personal differences or conflicts. All conduct prohibited by this policy includes behavior that occurs, directly or indirectly, by personal or electronic communication or action.

North Carolina law ([G.S. 115C-218.75](https://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_115C/GS_115C-218.75.html))(c)⁴) encourages charter schools to adopt a policy against bullying or harassing behavior, including cyberbullying. Charter schools that do so shall, at the beginning of each school year, provide the policy to staff, students, and parents as defined in G.S. 115C-390.1(b)(8).

Harassment is any unwelcome offensive verbal, nonverbal, or physical conduct that is sufficiently severe, persistent, or pervasive to significantly affect one’s employment or a student’s learning conditions. Harassment includes, but is not limited to, abusive jokes, insults,

⁴ https://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_115C/GS_115C-218.75.html (Feb. 21, 2023)

slurs, name-calling, threats, bullying or intimidation, unwelcome sexual advances, or exchanging benefits for performing sexual or other favors.

Harassment is prohibited at all levels—between students, employees and students, co-workers, supervisors, subordinates, non-employees, and employees or students, and any other School representatives or members of the School community while at the School or involved in School activities.

In addition, no student or staff member shall retaliate against anyone who reports or seeks remedies against harassment or bullying or otherwise aids or supports someone who aids in enforcing this policy.

All staff members must report to a supervisor instances or reasonable suspicions of harassment and bullying and aid in investigations carrying out this policy. Appropriate School staff shall take any alleged harassment or bullying report seriously and respond to it fully and promptly. Students are also urged to report and assist in carrying out this policy.

304.14. *Sexual Harassment*

Of the various types of harassment, sexual harassment requires special consideration. This includes sexual harassment between any member of the school community including student-to-student, employee-to-student, student-to-employee, and employee-to-employee, or harassment in any other school-related relationship. Simply put, no person shall engage in sexual harassment against any student, other employee, or another person in the school community, and having found to do so, shall be appropriately and promptly dealt with in terms of penalties, prohibitions, suspension or employment termination as the case may require.

All members of the school community must abide by the School's Title IX Sex Discrimination and Harassment General Policy ("General Policy"). The procedures that apply to occurrences of Sexual Discrimination or Harassment -- actual or suspected -- are set forth in the School's Title IX Sex Discrimination and Harassment Complaint Procedures ("Complaint Procedures"). The General Policy, Complaint Procedures, and Student Complaint Form are contained in Appendices 2a, 2b, and 2c, respectively, and are also available via the School's website at _____.

304.15. *Student Searches*

To promote safe and orderly operations, School officials may reasonably search a student's person and materials as necessary, in accordance with students' constitutional rights. A student may be subject to a search based on reasonable suspicion that the student has violated law or policy or as a result of reasonable, random searches not requiring individualized suspicion. Reasonable suspicion to search an individual student is not required when a student voluntarily and knowingly consents to such search.

If an authorized School official reasonably suspects that the student has any item or material on his or her person or in his possession, that risks serious harm to persons or property, an authorized School official may perform a more intrusive search of a student's person, including a strip search, as necessary to avoid a threat of imminent and serious harm or damage. In such instances, any invasive bodily search shall, to the extent feasible, be conducted privately by an authorized School official of the same sex, with an adult witness of the same sex present.

304.15.1. Locker Searches

Student lockers are School property. Therefore, students have no enforceable right to privacy against the School's right to open and view those lockers' contents. Students may not use their lockers to hold any illegal or unauthorized materials. School officials may inspect any student's locker without a search warrant for any reason deemed reasonable to maintain safe and orderly operations. A student's personal items found in a locker, such as clothing, backpacks, gym bags, or purses, may be searched based on reasonable suspicion.

304.15.2. Student Automobiles

Any opportunity for students to drive and park on School grounds is a privilege, not a right. The School may patrol School parking lots at any time and may search a student's motor vehicle based on reasonable suspicion that such vehicle contains materials that violate law or policy.

304.15.3. Using Dogs to Aid Searches

School officials may use trained dogs to aid in inspections for materials that may be in violation of law or policy. Thus, without notice, the School may use trained dogs to sniff lockers, student motor vehicles, and other objects. Dogs will not be used, however, in random searches of individual students.

304.16. *Disciplinary Policies and Procedures for Serious Offenses*

[Article 27 of Chapter 115C](https://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_115C/Article_27.html) of the North Carolina General Statutes requires the School to follow specific rules and due process relating to serious disciplinary matters, including the use of reasonable force, short- and long-term suspensions, and expulsions.⁵ The School will follow those rules in such instances and are incorporated herein by reference.

305. GENERAL EMERGENCY AND SPECIAL PROCEDURES

305.1. *Building and Grounds*

⁵ https://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_115C/Article_27.html (Feb. 21, 2023)

Maintaining safe and attractive School grounds and facilities requires everyone’s support. All students, staff, and parents should make every reasonable effort to preserve and protect School property.

305.2. *Delayed Openings*

The Director may delay opening or may close the School when inclement weather, mechanical failure, or other circumstance creates an actual or potential safety threat. In such instances, the School will notify members of the School community as promptly as possible via local news media, electronic mail, the School voice message system, the School website, or other reasonable means.

305.3. *Fire Drills*

The Director will conduct a fire drill during the School year’s first week and at least one fire drill each month thereafter. The route of egress and alternate routes will be posted in each classroom in each building. Evacuation, tornado, and lockdown drills will also be conducted routinely. Students and staff will be instructed on the procedures to follow.

306. SCHOOL SAFETY, HEALTH, AND WELLNESS

306.1. Statutory Provisions

The School will comply with all other operating and safety requirements set forth in [G.S. 115C-218.75](https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/BySection/Chapter_115C/GS_115C-218.75.html)⁶ (as amended over time).

(a) **Health and Safety Standards.** The School shall meet the same health and safety requirements required of the local school administrative unit.

- (1) **Meningococcal meningitis and influenza (Parents).** The School shall apply any information from the Department of Public Instruction and provide parents and guardians with information about meningococcal meningitis and influenza and their vaccines at the beginning of every school year. This information shall include the causes, symptoms, how meningococcal meningitis and influenza are spread, and the places where parents and guardians may obtain additional information and vaccinations for their children.
- (2) **Cervical Cancer and Vaccines (Grades 5-12).** The School shall provide parents and guardians information about cervical cancer, cervical dysplasia, human papillomavirus, and the vaccines available to prevent these diseases. This information shall be provided at the beginning of the school year to parents of children entering grades five through 12. This information shall include the causes and symptoms of these diseases, how they are transmitted, how they may be prevented by vaccination, including the benefits and possible side effects of vaccination, and the places where parents and guardians may

⁶ https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/BySection/Chapter_115C/GS_115C-218.75.html (Feb. 21, 2023)

obtain additional information and vaccinations for their children.

- (3) **Preterm Birth Risks (Grades 7-12).** The School shall provide students in grades seven through 12 with information annually on the preventable risks for preterm birth in subsequent pregnancies, including induced abortion, smoking, alcohol consumption, the use of illicit drugs, and inadequate prenatal care.
- (4) **Lawful Child Abandonment (Grades 9-12).** The School shall provide students in grades nine through 12 with information annually on the manner in which a parent may lawfully abandon a newborn baby with a responsible person, in accordance with [G.S. 7B-500](#)⁷.
- (5) **Diabetes Care Plans.** The School shall follow the guidelines for individual diabetes care plans adopted by the State Board of Education and shall comply with the provisions of [G.S. 115C-375.3](#)⁸ regarding the care of students with diabetes.
- (6) **Epinephrine.** The School shall comply with [G.S. 115C-375.2A](#)⁹ and shall retain on hand a sufficient supply of emergency epinephrine auto-injectors necessary to carry out the provisions of that statute.

(b) **School Risk Management Plan.** The School, in coordination with local law enforcement and emergency management agencies, will adopt a School Risk Management Plan (SRMP) relating to incidents of school violence. In constructing and maintaining the Plan, the School may use the School Risk and Response Management System (SRRMS) established pursuant to [G.S. 115C-105.49A](#)¹⁰. These plans are not a public record.

The School may provide schematic diagrams and keys to the main entrance of school facilities to local law enforcement agencies, in addition to implementing the provisions in [G.S. 115C-105.52](#)¹¹ regarding School Crisis Kits.

(c) **Policy Against Bullying.** The School will adopt a policy against bullying or harassing behavior, including cyberbullying, consistent with the provisions of G.S. 115C [Article 29C](#)¹²

⁷ https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/BySection/Chapter_7B/GS_7B-500.html (Feb. 21, 2023)

⁸ https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/BySection/Chapter_115C/GS_115C-375.3.html (Feb. 21, 2023)

⁹ https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/BySection/Chapter_115C/GS_115C-375.2A.html (Feb. 21, 2023)

¹⁰ https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/BySection/Chapter_115C/GS_115C-105.49.html (Feb. 21, 2023)

¹¹ https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/BySection/Chapter_115C/GS_115C-105.52.html (Feb. 21, 2023)

¹² https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_115C/Article_29C.html (Feb. 21, 2023)

regarding School Violence Prevention. At the beginning of each school year, the School shall provide the policy to staff, students, and parents as defined in G.S. [115C-390.1\(b\)\(8\)](#)¹³.

(d) **School Safety Exercises.** At least once a year, the School will hold a full school-wide lockdown exercise with local law enforcement and emergency management agencies that are part of the School's SRMP.

(e) **School Safety Information Provided to Division of Emergency Management.** The School may provide the following to the DEM: (i) schematic diagrams, including digital schematic diagrams, and (ii) emergency response information requested by the Division for the SRMP. The schematic diagrams and emergency response information are private records

(e1) **Anonymous Tip Line.** The School shall develop and operate an anonymous tip line in accordance with [G.S. 115C-105.51](#)¹⁴, and provide necessary information and education to the School community.

(f) **Access for Youth Groups.** The School may facilitate access for students to participate in activities provided by any youth group listed in Title 36 of the United States Code as a patriotic society, such as the Boy Scouts of America, and its affiliated North Carolina groups and councils, and the Girl Scouts of the United States of America, and its affiliated North Carolina groups and councils. Student participation in any activities offered by these organizations shall not interfere with instructional time during the school day for the purposes of encouraging civic education.

(g) **Child Sexual Abuse and Sex Trafficking Training Program.** The School shall adopt and implement a child sexual abuse and sex trafficking training program in accordance with [G.S. 115C-375.20](#).¹⁵

(h) **Mental Health Plan.** The School shall adopt a school-based mental health plan, including a mental health training program and suicide risk referral protocol, in accordance with [G.S. 115C-376.5](#)¹⁶.

306.2. Communicable Diseases

The School aims to provide a safe and secure environment free of infection from communicable diseases for all students and employees. To balance the need to protect students' and employees' privacy rights and to control the spread of communicable diseases and conditions, decisions

¹³ https://www.ncleg.net/enactedlegislation/statutes/html/bysection/chapter_115c/gs_115c-390.1.html (Feb. 21, 2023)

¹⁴ https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/BySection/Chapter_115C/GS_115C-105.51.html (Feb. 21, 2023)

¹⁵ https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/BySection/Chapter_115C/GS_115C-375.20.html (Feb. 21, 2023)

¹⁶ https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/BySection/Chapter_115C/GS_115C-376.5.html (Feb. 21, 2023)

concerning necessary action shall be made on a case-by-case basis in accordance with this policy, sound judgment, and applicable legal requirements.

A communicable disease or condition is defined as an illness due to an infectious agent, or its toxic products, which an infected person or animal transmits directly or indirectly to a person from.

This policy applies to all legally reportable communicable diseases, including HIV and AIDS, as set forth in state regulations.

To prevent the spread of communicable diseases, the Director (or designee) shall distribute universal health and safety precautions, which include regulations regarding the cleanup of all bodily fluids (including blood). All School employees shall follow these precautions.

In accordance with state law, the Director (or designee) shall report suspected cases of reportable communicable diseases or conditions to the county health director for investigation and shall provide available factual information to substantiate the report. Such reports shall remain strictly confidential and may be shared only with other staff members as necessary to prepare and file a report. All staff members who are made aware of any such report shall keep such information confidential. Without releasing any information that would identify the affected student when not required, the Director or supervisor shall report suspected cases of reportable communicable diseases or conditions to the Board Chairperson.

Any student suffering from a communicable disease or condition shall follow all control measures issued by the county health director and shall take all necessary precautions to prevent transmitting the disease or condition. Any School employees who have reason to believe that a student is suffering from a reportable communicable disease and is failing to follow safe practices shall report this to the Director, their supervisor, or health director. Failure to follow control measures may result in disciplinary action. The Parent(s) of a student suffering from a communicable disease should inform the Director so that appropriate accommodations and precautions may be put in place.

If the county health director notifies the Director that a student with a communicable disease or condition may pose a threat to public health, the student and his or her Parents shall cooperate with the health director to eliminate the threat. The health director is responsible for determining when the School community must be notified of a contagious disease's outbreak. School officials shall cooperate with the health director in issuing such notification.

The county health director is responsible for notifying the School if a student infected with the HIV virus is enrolled at or scheduled for admission to the School, and if there is a serious risk of the student transmitting the virus

306.3. *Head Lice Policy*

The School will take prompt action to eliminate the threat of head lice. Head lice do not represent a disease or infection and can therefore be readily treated. Because lice are transmittable, any student School officials suspect of having head lice will be sent home promptly for treatment.

The student may not return to the School until treatment has been received and the School nurse or other designated School official has determined that no head lice or live nits are present. The School provides assistive information to parents about head lice and can be found in these policies' Appendices. Any member of the School community who knows of a manifestation of head lice should report it to a responsible staff member.

306.4. *Illness and Injury*

Sick children should not attend school to protect their own health and the health of other members of the School community. A student with the following symptoms should remain home and not return to School until he or she is symptom-free for 24 hours: vomiting, diarrhea, or a temperature of 100 degrees Fahrenheit or above.

Any student with any contagious symptoms—such as frequent coughing or sneezing, eye discharge, or cloudy nasal discharge, all of which may involve the spread of illness—should not attend school. If a student with a contagious illness has attended classes, parents should notify the teacher immediately.

When a student is injured or becomes ill at School, the student will normally be sent to the main office to be assessed by the proper School employee. The student will be treated in the office and sent back to class if appropriate, and the student does not pose a threat to others or classroom order. Any student a School nurse or other caregiver sees may be given documentation explaining the problem's nature and measures taken. The School office will notify the parent(s) if the child needs further assistance or must leave the School.

No underage student may leave the School unsupervised. Any significant injury or accident occurring during the School day or during a School activity will be reported to a parent. The School will treat minor injuries or contact a parent to take the student for medical attention.

306.5. *Immunizations*

No child may attend School unless an immunization certificate indicating that the child has received the immunizations required by state law is provided to the School. If on the first day of attendance, the child does not present such a certificate, the child's parent shall be notified. The parent shall normally have thirty calendar days from the date of first attendance to obtain the required immunizations for the child. If a vaccine reasonably requires more than thirty calendar days to complete, and a suitable physician reliably verifies this fact, a reasonable time extension may be granted. At the end of the thirty calendar days or extended period, if the student has not received the required immunizations, the School shall release the student from the School.

The School shall maintain, in a separate medical file for each student, the student's immunization records. County or state health department officials may inspect these records upon request and without notifying parents. When a child transfers from or to another School, arrangements will be made to transfer the immunization records. The School will file an immunization report with the Department of Environment, Health, and Natural Resources within sixty calendar days after a new School year begins.

306.6. Medications

General procedures. If a child must be medicated (including over-the-counter and prescribed medication) during School hours and the parent cannot be at School to administer the medication, only the Director's designee may administer the medication in compliance with the parent's written, signed, and dated instructions. The Director (or designee) reserves the right to require medical certification by a suitable doctor or to seek advice from a doctor the School retains to determine the appropriateness of administering any medicine. No teacher may be required to administer medication against his or her wishes.

The parent's medication instructions must include at least the following:

- Child's name;
- Name of medication;
- Purpose of medication;
- Time and dosage to be administered;
- Possible side effects and related treatment;
- Termination date for administering the medication; and
- Special information about the medications (i.e., storage requirements).

Authorization forms to give medication on campus and medication records must be retained in the student's confidential medical file.

Exceptions to Medication Administration. Middle and Upper School students may, upon proper written authorization and approval by the Director (or designee), self-medicate with medications that are labeled and packaged in the original container and are required for a medical condition. Students with diabetes or asthma, or a student subject to anaphylactic (life-threatening) reactions, will be allowed to carry and self-administer their medication if the parent, physician, and student sign a completed medication request form and the student demonstrates appropriate proficiency in delivering the medication. Self-administering privileges will be withdrawn if the student exhibits a lack of responsibility towards self or others in regard to his or her medication. Any student who abuses the privileges described in this section may be subject to discipline.

306.7. Special Medical Needs, Diabetes Plans, and Epinephrine

The School shall implement procedures for students with special medical needs pursuant to G.S. 115C, Article 25A (G.S. 115C-375.1 to -375.5). Specifically, the school shall provide for diabetic

students in accordance with State Board of Education requirements and G.S. [115C-375.3](#).¹⁷ This compliance includes making available necessary information and staff development to teachers and school personnel to appropriately support and assist diabetic students in accordance with their individual diabetes care plans. The Board shall provide the School with a supply of emergency epinephrine auto-injectors necessary to carry out the provisions of [G.S. 115C-375.2A](#).¹⁸

306.8. *Compliance With Other Health Requirements*

The School shall regularly determine and comply with any federal, state, and local requirements pertaining to other safety threats, such as dangerous chemicals and blood-borne pathogens. It shall also comply with all requirements as to food inspections and safety.

307. PARENTS AND THE COMMUNITY

307.1. *Open Communications*

The School recognizes the need for clear and open communication between the Board, staff, and parents concerning issues of mutual interest. Parental suggestions, concerns, and questions regarding School policies and practices are encouraged and are most effectively and efficiently channeled directly through a teacher, the Director (or designee), or any other person or group assigned to receive such information. Parents are urged not to communicate directly with Board members on such matters to preserve the integrity of their policy-making role, administrative response's proper channels, and Board neutrality.

307.2. *Parent Organizations*

The Parent-Teacher Organization, booster clubs, and other parent organizations perform a valuable service for the School. The Board supports these organizations and expects and encourages cooperation from the whole School community, including students and employees.

The Board shall approve all School-affiliated organizations. The Board—or by delegation, the Director—may establish additional rules governing such organizations. The Director (or designee) shall be an ex officio member of any such organization.

Each parent organization affiliated with the School must establish bylaws setting forth the organization's purpose and its operating rules and procedures. A copy of the bylaws, and any subsequent revisions, shall be given to the Director, and a copy shall be kept on file in the School office.

¹⁷ https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/BySection/Chapter_115C/GS_115C-375.3.html (Feb. 21, 2023)

¹⁸ https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/BySection/Chapter_115C/GS_115C-375.2A.html (Feb. 21, 2023)

Parent organizations shall secure the Director's advice and approval prior to planning any function or activity in which students are to participate while under School supervision.

Unless otherwise determined by the Board, any item purchased by a parent organization for the School or a School activity becomes the School's property

307.3. *Visitors*

The Director (or designee) will post instructions to parents and visitors, directing them to the School office to sign in upon their arrival on campus.

All parents and visitors shall report to the School office upon arrival and are required to sign a visitation form, including their arrival time and their destination. Visitors, including parents, are required to wear a nametag identifying them. At their departure, visitors and parents are required to return their nametags to the office and sign out on the visitation form.

The Director (or designee) is authorized to

- limit campus access to persons, including students and Parents, who threaten the safety or well-being of the School community, or whose presence actually or likely disrupts the School environment;
- determine if sales personnel may make sales visits to School administrators; and
- call law enforcement personnel to protect against any threat posed by any person or to remove from the School property any person who refuses to leave after being directed to do so by authorized personnel.

307.4. *Volunteers*

The School's viability depends, in large part, on an effective volunteer program. Parents of students attending the School are encouraged to commit time to such volunteer work for the School. Parent volunteer help is especially needed to support field trips, special classroom events, and special School activities. The Director is responsible for volunteer oversight, including selection, recruitment, screening, and assignment. Volunteer services may be controlled or terminated at the Director's discretion. Volunteers are subject to applicable Visitor Policies and must report to the School office upon their arrival on campus. Volunteers are bound by the standards of conduct set forth by the School for School employees.

308. STUDENT RECORDS

308.1. Access to Student Information

308.1.1. FERPA Protections

The federal Family Education Rights and Privacy Act (FERPA) affords students' parents and legal guardians and emancipated students the right to inspect their child's or their own records.

To exercise these rights, the individual within forty-five (45) days of the day the school receives a request for access. You should submit to the school Director a written request that identifies the record(s) you wish to inspect. The Director will make arrangements for access within forty-five days of the request and then notify the individual of the time and place where the records may be inspected.

FERPA also grants these groups of people the right to request the amendment of the child's education records if they believe they are inaccurate or misleading. To do so, the person should write the school Director, clearly identify the part of the record to be changed, and specify why it is inaccurate or misleading. If the school decides not to amend the record as requested, the school will notify the person of the decision and advise him or her of his or her right to a hearing regarding the amendment request. Additional information regarding the hearing procedures will be provided to the person when he or she is notified of the right to a hearing.

These parties also have the right to consent to disclosures of personally identifiable information contained in the child's education records. FERPA requires that the school obtain your written consent prior to the disclosure of any such information with certain exceptions. For a complete list of the disclosures that elementary and secondary schools may make without parental consent, see 34 C.F.R. Part 99.37.

The School may disclose appropriately designated "directory information" without written consent unless the parent or emancipated student has directed the School not to disclose such information. Such information allows the School to publish certain useful information such as athletic rosters, program bulletins, yearbooks, honor rolls or other recognition lists, or graduation programs. The School considers the following information to be directory information—a student's name, address, telephone listing, photograph, major field of study, grade level, dates of attendance, degrees, honors, and awards received, date and place of birth, electronic mail address, participation in officially recognized activities and sports, weight and height of members of athletic teams, most recent educational agency or institution attended, and enrollment status. Each year the School will notify parents of the School's "directory information" and parents' right to opt out of such disclosures.

In addition, the School is required to provide military recruiters, upon request, students': names, addresses, and telephone listings. Directory information may also be disclosed to outside organizations without your prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks.

If a parent, legal guardian, or emancipated child does not want the School to disclose some or all of the directory information described above from the child's education records to all or certain recipients without your prior written consent, the School must be notified in writing within fourteen days of the beginning of the school year or within fourteen days of the child's enrollment in the School.

Parents, legal guardians, or emancipated children have the right to file a complaint with the U.S. Department of Education concerning alleged failures of the School to comply with these requirements. The name and address of the office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5901.

308.1.2. Protection of Pupil Rights Amendment Protections

The Protection of Pupil Rights Amendment requires that the School notify the student's parent(s) or legal guardian or the emancipated student and obtain his or her consent or allow those parties to opt-out their child from participating in certain school activities. These activities include a student survey, analysis, or evaluation that concerns one or more of the following eight areas:

1. The student or student's parent's political affiliates or beliefs;
2. Mental or psychological problems potentially embarrassing to the student or student's family;
3. Sexual behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law, to determine program eligibility.

This requirement also applies to collecting, disclosing, or using student information for marketing purposes and certain physical exams or screenings except for hearing, vision, scoliosis, or any physical exam or screening permitted or required under State law.

The School will, within a reasonable period of time prior to the administration of the surveys and activities, provide notice of said surveys and activities and give the parent(s) or legal guardian, or the student, if he/she is emancipated, the opportunity to opt out.

Parties who believe their rights have been violated may file a complaint with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5901.

308.2. Official Student Records

The Director (or designee) shall compile and maintain an official record for each student, which must include the student's birth certificate, dates of admission and departure, attendance data, standardized test results, and grading and promotion data. Each student's official record shall also include notice of any suspensions for more than a 10-day period or of any expulsion. The suspension or expulsion notice shall be expunged from the record if the student graduates from

high school or is not expelled or suspended again during the two-year period commencing on the date of the student's return to School after the expulsion or suspension.

Official student records shall be permanently maintained. The Director is authorized to store official student records at a central location.

Student records do not include individual notes and records made by teachers and administrators that are in the sole possession of their maker and that are not accessible or revealed to any other person except a substitute teacher or supervisor.

308.3. Student Record Confidentiality

Student educational records are confidential. Access to the official student record and any other student record shall be strictly limited in conformance with state and federal law and Board policy. A confidential folder shall also be maintained for each child evaluated for or receiving exceptional children's services.

Apart from directory information, personally identifiable student information shall not be released from a student's record without the parent's, legal guardian's, or emancipated student's prior written consent, except to the following persons:

1. School employees when a legitimate educational purpose exists for accessing the information, including professionals contracted to provide a student services;
2. Authorized government or educational officials or others with legitimate reasons for reviewing a student's records;
3. Appropriate persons in connection with an emergency, if releasing the information is necessary to protect the student's or other person's health or safety;
4. Authorized state and local officials with authority to review student information if the disclosure relates to the juvenile justice system's ability to serve, before adjudication, the student whose records are released. The official must certify in writing that the information will not be disclosed to any other party, except as provided by state law or with prior written consent of the student's Parent or an emancipated student;
5. Other schools' officials, if the student has enrolled or plans to enroll there unless the Parent or an emancipated student has specifically requested in writing that the information not be released to the requesting institution;
6. Persons acting under court order or subpoena, as long as the Parent or an emancipated student shall be notified of the request prior to its execution;
7. Accrediting organizations, to the extent necessary to enable them to carry out their functions; and
8. Financial aid organizations, if related to a student's application for receipt of financial aid.

Prior written consent for any other release of personally identifiable information must be signed and dated by the parent, legal guardian, or an emancipated student and must specify the records that may be disclosed, the purpose of the disclosure, and the party or class of parties to whom the disclosure may be made.

308.4 Transcripts

Parents, a student who is eighteen years of age or older, and other K-12 Schools where a former student has enrolled may request the student's record. The School may charge for copies of records, including certified transcript copies. No fees will be charged for copies of records to be mailed directly to a K-12 School that a student is subsequently applying to or attending.

309. GRIEVANCE PROCEDURES

All members of the school community, including all employees, volunteers, school agents and contractors, must abide by the School's **Title IX Sex Discrimination and Harassment General Policy ("General Policy")**. The **General Policy** is contained in **Addendum 2a** to these policies and is also available via the School's **website**. [EMBED AND FOOTNOTE WEBLINK]

Reporting, Investigating, and Resolving Harassment Charges. All complaints of harassment shall be promptly and thoroughly reported, investigated, documented, and monitored, with appropriate follow-up and disciplinary action taken to remedy any act of harassment. The procedures that apply to occurrences of sexual discrimination and harassment -- actual or suspected -- are set forth in the School's Title IX Sex Discrimination And Harassment Complaint Procedures ("Procedures"). These Procedures are contained in **Addendum 2b** and are also available via the School's **website**. [EMBED WEBSITE LINK AND ADD FOOTNOTE]

Appendix 1 - Schoolwide Grievance Procedures and Form

Grievance Process and Appeals of Administrative Decisions

A. Introduction and Objectives. The School seeks to provide a process by which students, parents, and staff can resolve concerns in a timely and effective manner while balancing this with the need for efficient and effective School operations. Toward this end, this policy establishes mechanisms by which grievances should be addressed through informal and, if appropriate, formal means. All references herein to the Director include any person assigned as the Director's designee.

B. Informal Grievance Procedure. All concerns should first be addressed directly and informally with the persons involved. This includes reasonably notifying those causing and involved in the grievance, allowing them to reasonably respond, and an opportunity to make good faith efforts toward resolution. If necessary, individuals involved are encouraged to seek the assistance of an objective party to assist with informal resolution.

C. Formal Grievance Procedure. Persons must seek informal, timely resolution before filing a formal grievance unless doing so is not reasonably feasible, would be futile, or if formal grievance procedures are legally required. The grievant may then file a formal grievance with the Director within ten school days after the last informal attempt at resolution; if informal resolution is not required, the grievant shall file the grievance within ten school days of the last instance causing the grievance.

The formal procedure shall be initiated by submitting to the Director a written request for redress that succinctly states the specific grievance(s), the supporting facts, the basis in Board policy or law (citing specific policies or laws), the requested relief, and the efforts made to resolve the matter informally. The Director may require the submission of an approved form for such grievance filing.

The Director shall determine whether informal resolution requirements have been satisfied or are not required. If the Director determines that the grievant is entitled to a formal grievance process, he shall provide a copy of the formal grievance to all other persons implicated by the grievance. The Director shall reasonably investigate and consider the matter (which may include meeting with the parties involved and holding an informal hearing) and issue a decision within ten school days from the date the grievance is filed; additional time for the Director's decision shall be allowed when reasonably required by circumstances. All deliberations shall be held in confidence where feasible and involve only persons in a need-to-know position.

D. Appeals of Right to the School Board Hearing Panel. A grievant or affected party has the right to appeal any administrative decision by the Director affecting a constitutional or other legal interest, and/or an interest of the type listed below:

- a. Suspension or expulsion of a student for more than 10 days (per School suspension and expulsion procedures required by Chapter 115C, Article 27 of the North Carolina General Statutes);
- b. An alleged violation of a specified federal or state law or regulation;
- c. The loss or reduction of salary of a school employee under a specific-term contract who is not employed at will; or
- d. Any other decision that, by law, provides for a right of appeal to the School Board and for which there is no other statutory appeal procedure.

Any person seeking a hearing under this section, within 10 school days after an administrative decision by the Director, may request a Board hearing, by submitting to the Board Chairperson a request in writing by any reasonable means of notice such as certified mail, email, or personal delivery. The person(s) making such request shall also promptly deliver a copy of the hearing request to the Director. The Board or Director shall notify the person making the request of the time, place, and manner of the hearing.

E. Discretionary Appeals to the Board (no right of appeal). Any person aggrieved by a decision not involving a matter addressed in Section D may, within 10 school days after a decision or recommendation by the Director, request a Board hearing, by submitting to the Board Chairperson a request in writing by any reasonable means of notice such as certified mail, email, or personal delivery. The person making such request shall also promptly deliver a copy of the hearing request to the Director. In such cases, the Board has the discretion to deny or grant a hearing. The Board or Director shall notify the person making the request and the Director of its decision, and if a hearing is granted, the time, place, and manner of such hearing.

F. Board Hearing Procedures. In all appeals to the Board, the Board shall provide adequate notice of hearing rights and procedures to all parties concerned and keep a record of any hearing conducted.

1. **In the case of hearings required by right (Section D),** all parties have the right to a formal hearing, including the right to appear, to be represented by counsel or other representatives, to submit documentation, and to reasonably examine and cross-examine witnesses. Hearings involving student suspensions or expulsions shall additionally conform to the requirements of Article 27 of the North Carolina General. In the case of an employee grievance concerning a loss or reduction of salary, the employee may request and shall be entitled to receive reasonably detailed written notice as to the reasons for the administrative decision or recommendation; the notice shall be provided to the employee at a time reasonably in advance of any Board hearing.

2. **For all discretionary hearings (Section E),** a hearing may be informal (e.g., based on written documentation and briefs), or formal (e.g., involving personal appearance of the parties, formal presentation of evidence, etc.). In such cases, the Board retains discretion to determine a fair and reasonable procedure for such hearing. The Board may also authorize the Director or an appointed hearing officer or panel acting on behalf of the Board to render a non-appealable final decision.

3. For any formal hearing (i.e., one that allows or requires personal appearances and presentation of evidence), the hearing may be conducted by the Board, the Director (if the Director has not made the initial decision or recommendation), or by a person or group of persons appointed by the Board to serve as a hearing officer or hearing panel. The Board shall appoint any individual to serve as a hearing officer or on a hearing panel who is under the direct supervision of the administrator recommending suspension or expulsion.

4. If a hearing is conducted by an appointed hearing officer or hearing panel, such officer or panel shall determine the relevant facts and credibility of witnesses based on the evidence presented at the hearing. Following the hearing, the Board or Director (if the Director has not made the initial recommendation) shall render a decision; in so doing, the decision-maker shall adopt the hearing officer's or panel's factual determinations unless they are not supported by substantial evidence in the record.

Furthermore:

- a. **if the hearing is by right (Section D)**, the petitioner shall have the right to appeal the decision to the full board. If the issue involves a student suspension or expulsion, the hearing shall also accord with additional requirements of G.S. 115C, Article 27 (115C-390.1 *et seq.*);

or

- b. **if the hearing is discretionary (Section E)**, the decision shall constitute a final decision, not appealable to the full board.

Subject to any other more restrictive legal requirements (e.g., student suspensions/expulsions), hearings should be conducted in a reasonably prompt and efficient manner, normally within ten school days from the date the hearing is requested unless circumstances necessarily require or the parties agree to extend the time. A final decision should be rendered and delivered in writing to the respective parties within five school days or as otherwise legally required.

School Grievance Form

This administrative form is to be used in conjunction with the School's Grievance Procedure (GP) for each formal grievance. The Grievant(s) should carefully review and follow those procedures, beginning with reasonable efforts for informal resolution. Failure to follow those procedures and their timelines may constitute a waiver of rights.

I. **Grievant Information** (To be completed by Grievant(s); be concise and use additional pages only if necessary.)

A. Name of Grievant(s) and Status (i.e., parent, employee):

B. Individual(s), if any, against whom grievance filed:

C. Brief description of grievance (100 words or less; you may also attach a full statement to this document):

D. Identify specific law(s), policy(ies) or rule(s) violated, and how:

E. Informal efforts taken to resolve grievance (§B of Grievance Procedures):

F. Primary evidence upon which Grievance relies (e.g., witness testimony, documents, other):

G. Requested resolution:

The undersigned Grievant(s) hereby affirm that the foregoing information is true to the best of his/her/their knowledge and submitted in good faith in accordance with the School's grievance procedures. Please note that a Grievant may be asked to submit a signed Affidavit under oath.

Signed Name

Date

Signed Name

Date

Authorized School Official/Grievance Facilitator (Print)

Received Date

Appendix 2a - Schoolwide Title IX Sexual Harassment General Policy

General Terms

The School is committed to providing an environment free from all forms of sex discrimination, including sexual harassment and violence, as required by law. Title IX of the Education Amendments of 1972 to the Civil Rights Act provides that “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”

This policy and its associated procedures (see School policy, "Title IX Sex Discrimination / Harassment: Procedures," a/k/a "T.IX Complaint Procedures") shall apply in all instances to prohibit and address allegations of such misconduct.

Prohibited Behavior

The School strictly prohibit the following behaviors, collectively referred to as “misconduct” under this policy.

1. **Sex discrimination (unequal treatment).** Sex discrimination **typically involves some form of conduct that denies** a student equal participation in or the benefits of any education program or activity or denies an employee equal workplace access or opportunity of the student’s or employee’s gender, respectively.
2. **Sexual harassment.** Sexual harassment, a form of discrimination, is any sexually-oriented conduct aimed at or negatively impacting a person, and which conduct is motivated by the victim's gender. Such conduct can take many forms, including verbal, nonverbal, physical, or other behaviors that fall under one or more of the following categories:
 - a. **Quid Pro Quo Harassment.** Typically involves a person in authority conditioning education or workplace benefits on the victim’s willingness to engage in some type of sexual conduct. This kind of exchange or transaction in benefits for sexual favors involves a *quid pro quo* (i.e., “you do something for me, I do something for you.”)
 - b. **Hostile Environment Harassment.** Typically involves some form of unwelcome and unpleasant conduct that is severe, pervasive, and objectively offensive to a reasonable person that it effectively denies a person equal access to the School's education program or activity or some regular workplace benefit or opportunity. Examples of sexual harassment, if motivated because of a victim’s gender, may include, but are not limited to, the following:

- Implicit or explicit threats, aggression, or interference with normal conduct or movement
 - Deliberate, unwelcome touching of a sexual nature
 - Requests, express or implied, for sexual favors or activity
 - Taunting, agitating, or criticizing, including the use of epithets, derogatory comments, slurs, or lewd statements
 - Flirtations, advances, or propositions
- c. **Sexual Violence.** This includes sexual assault, dating violence, domestic violence, or stalking within the School or affecting a School program or activity, defined as follows.
- **Sexual assault** is any non-consensual sexual act prohibited by law.
 - **Dating violence** is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Such a relationship is determined based on its length, type, and frequency of interaction.
 - **Domestic violence** includes such things as violent sexual crimes by a current or former spouse or intimate partner or by any other person against an adult or youth victim who is protected from that person's acts by law.
 - **Stalking** means engaging in the course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.
3. **Retaliation.** Retaliation involves any action against an individual because the individual has made a report or complaint or has testified, assisted, or participated (or refused to participate) in a sex discrimination/harassment investigation, proceeding, or hearing. Retaliation can take many forms, including, but not limited to, intimidation, threats, coercion, disciplinary action, or discrimination.

Addressing Misconduct Under This Policy

The School has the authority to independently address misconduct whenever aware of its existence, regardless of whether a complaint has been filed or whether the conduct violates any other School policy.

When misconduct occurs under this policy, the School T.IX Complaint Procedures shall be as follows. Any person believing they are a victim of misconduct is urged to file a complaint with the School's Title IX Coordinator.

Publication and Notice of Policy and Procedures

This policy and the associated T.IX Procedures shall be posted prominently on the School's website and in the School's office. The School shall also notify applicants for admission and employment, students, parents, employees, and persons providing applicant referrals for employment that the School does not discriminate based on one's sex in its educational programs or activities under Title IX. The notification shall be made in the form and manner required by law or regulation.

Conflicts of Interest

For purposes of this policy and the related T.IX Procedures, if any person normally responsible for some role or duty in the complaint process is the alleged perpetrator of misconduct, then that person's supervisor or another comparable person of authority shall serve in the alleged perpetrator's role. In the case of allegations against the Director, the Board shall appoint a person not supervised by the Director to serve in his or her place.

Available Assistance

Any individual, who believes they may have experienced any form of sex discrimination or sexual harassment, or who believes that they have observed such actions taking place may receive information and assistance regarding the School's policies and reporting procedures from any of the following:

- The School's Title IX Coordinator: _____
- The United States Department of Education, Office of Civil Rights: 1-800-421-3481.

Appendix 2b - Schoolwide T. IX Complaint Procedures and Student Complaint Form

These procedures (“Title IX Procedures”) apply to instances of alleged or reasonably suspected discrimination or harassment, based on gender, against any person under the control of the School according to the School's Title IX Non-discrimination/Harassment Policy (“Title IX Policy”). The School reserves the right to interpret and apply these procedures (“Title IX Procedures”) consistent with the Title IX Policy and subject to the law.

I. GENERAL PRINCIPLES AND REQUIREMENTS

General Information and Assistance

Any individual who believes they are a victim of gender-based discrimination or harassment under the School's Title IX Policy is encouraged to contact the School’s Title IX Coordinator:

Key Terms and Designations

The following terms and role designations apply to these procedures:

- **Complainant:** A person filing a complaint according to these procedures. (Any reference to a Complainant may include the Complainant's parent, advisor, or other assisting person)
- **Respondent:** The alleged perpetrator of prohibited conduct under the School’s Title IX Policy. (Any reference to a Respondent may include the Respondent's parent, advisor, or another assistant to the Respondent.)
- **Title IX Coordinator (or T.IX Coordinator):** A School employee assigned the responsibility to coordinate the complaint process.
- **Investigator / Preliminary and Final Investigative Reports:** An Investigator is a person assigned to investigate a valid complaint on behalf of the School and to issue both Preliminary and Final Investigative Reports (or “Preliminary Report” and “Final Report”) for the Adjudicator’s consideration. The Investigator is not a decision-maker in the complaint process but may present recommended findings of fact, conclusions, and corrective actions in the Reports. The **Preliminary Report** is the initial draft report prepared by the Investigator following the investigation of the complaint; it is to be issued to the parties for their review and responses to be considered by the Investigator before preparing the **Final Report**.
- **Adjudicator / Initial Determination:** The person assigned, on behalf of the School, to review the Final Investigative Report and supporting record, make further inquiries as

needed, and determine the complaint's validity in the form of a written **Initial Determination**.

- **Appeal Officer/Panel / Appeal Determination:** The person or panel of persons assigned, on behalf of the School, to review (1) an appeal challenging an Initial Dismissal Decision by the Director (or designee); or (2) an appeal challenging an Initial Determination by an Adjudicator. If an appeal is granted, the Appeal Officer/Panel will issue to the parties, as the respective circumstances require, a written Appeal Decision (as to the Initial Dismissal Decision) or Appeal Determination (as to the Initial Determination), upholding, modifying, or reversing the prior decision or determination, respectively.
- **Standard of Evidence / [INSERT STANDARD HERE; I.E., THE FEDERAL RULES PERMIT ONE OF TWO STANDARDS: "PREPONDERANCE OF EVIDENCE" OR "CLEAR AND CONVINCING EVIDENCE"]**
This is the degree of proof and certainty required to uphold allegations of a Respondent's misconduct and culpability. The School requires that all Report findings, recommendations, and all determinations of culpability be supported by **[STANDARD OF EVIDENCE]** to overcome the presumption of the Respondent's non-culpability.

Interim Support Measures

In response to a formal or informal complaint, the School shall offer Supportive Measures available to the Complainant and the Respondent.

The Title IX Coordinator will provide a written explanation of interim support measures available and inquire to determine what corrective actions the Complainant may be seeking. The Complainant may identify an interim support measure not already offered by the School. The School will consider whether it can offer such a measure while minimizing any burden to the Respondent or to others.

The following are examples of interim support measures:

- Academic accommodations, including change in classes, testing, or assignments
- Medical and mental health services, including counseling
- Modifications to education conditions (for students), including extracurricular activities, field trips, on or off-campus activities, or (for employees) work conditions
- A "no contact" directive pending the outcome of an investigation; such a directive serves as notice to both parties that they must not have verbal, electronic, written, or third-party communication with one another
- Providing an escort to ensure that a student Complainant can move safely between school programs and activities
- Transportation accommodations

- Assistance identifying an advocate to help secure additional resources or assistance, including off-campus and community advocacy, support, and services

Privacy Protections

The School will never use or allow questions or evidence protected by a legally recognized privilege (e.g., attorney-client, doctor-patient) unless the person waives the privilege in writing, or such use is otherwise required, legally.

The School cannot unilaterally access or consider a party's records if those records are made or maintained by a physician, psychiatrist, or other recognized professional and made to provide treatment to the party. These records may only be accessed with a party's voluntary written consent. The School must keep confidential the identity of Complainants, Respondents, and witnesses, except as required by FERPA or other law or as necessary to carry out a Title IX proceeding.

During the complaint process, questions or evidence about the Complainant's prior sexual behavior – even with the Respondent accused of sexual harassment, and even in the cases where the Respondent already possesses evidence about sexual history -- are not deemed relevant.

Informal Resolution

After a formal complaint is filed, the School may, at its discretion, offer and facilitate informal resolution options if the parties mutually agree. However, informal resolution may not be offered or allowed when involving student complaints against an employee Respondent. A party has the right to withdraw from informal resolution and resume the complaint process.

Complaint Dismissals

The law *requires* the School to dismiss a complaint when the alleged misconduct

- fails to meet the definition of sexual discrimination or harassment (per the Title IX Policy);
- did not occur in a School educational program or activity; or
- did not occur in the United States

When a complaint is dismissed, the School may still address the alleged misconduct in a separate proceeding if it may have violated some other law or school policy.

The School, at its discretion, *may* dismiss a complaint when

- the Complainant notifies the Title IX Coordinator in writing of a request to withdraw the complaint

- the Respondent is no longer enrolled in (if a student) or employed by (if an employee) the School; or
- Specific circumstances prevent the School from gathering the necessary evidence to sufficiently investigate and determine an outcome.

If the Title IX Coordinator believes there is substantial reason to dismiss a complaint, the Coordinator shall make a written request to the Director (or designee) to review it. The Director will decide whether to dismiss the complaint. If the complaint is initially dismissed, the Title IX Coordinator shall, on behalf of the Director, promptly notify the parties in writing of the initial dismissal and the reasons.

Either party may appeal an initial dismissal decision by submitting a written request for appeal to the Title IX Coordinator within five (5) days of that initial decision. If the initial dismissal is not appealed in a timely or proper manner, the dismissal decision shall become final.

The Title IX Coordinator shall forward a timely request to a designated Appeal Officer or Panel, according to the Appeal process set forth further below in these procedures. Furthermore, the Target Deadlines in these procedures (set forth below) shall be calculated based on the date of the complaint filing, and shall be adjusted by adding ten (10) additional days to the calculations.

Complaint Process Officials: Fairness / Conflicts of Interest

All officials involved in the complaint process (“Complaint Officials”) shall be objective, neutral, fair, and adequately trained, and skilled in the conduct of their respective duties. No Complaint Official may serve in more than one role in any single complaint process.

A complaint official shall not serve in a complaint process if s/he has an actual, apparent, or potential conflict of interest; this includes being a subordinate or close colleague of an employee who is a party or is a family relative of a party. A Complaint Official (or prospectively appointed official) is duty-bound to notify the T.IX Coordinator of any such conflict. The Director shall appoint another neutral, trained employee in place of the T.IX Coordinator if the conflict of interest involves the T.IX Coordinator.

In any instance where a Complaint Official or potential Complaint Official has a conflict of interest or is a party in the complaint process, the T.IX Coordinator shall appoint a qualified alternate for such role. The Director shall appoint another neutral employee to serve in place of the regular T.IX Coordinator when the Coordinator has a conflict of interest.

Whenever the Director has a conflict of interest or is a named party in a complaint process, the Board Chairperson (or designee) shall serve in the Director's place, as needed. In such instances, the T.IX Coordinator shall serve under the Board Chairperson’s close supervision (or designee) in carrying out the Coordinator's duties. (This measure is necessary to avoid undue influence or bias if the T.IX Coordinator is a subordinate of the Director.)

Content of Investigative Reports and Determinations

Any conclusions or determinations made in the complaint process, whether in the Investigator's Reports or Adjudicator or Appeal Determinations (including a Final Determination), should include the following elements (in whatever form and scope deemed appropriate):

- a. **An executive summary** of the primary allegations, applicable school policies allegedly violated, conclusions drawn regarding culpability, and recommended corrective actions if necessary.
- b. **Complaint procedures** completed at that point in time, including a summary of primary investigative measures
- c. **Findings of fact** relative to the allegations
- d. **Analysis and conclusions** relative to the allegations and school policies violated or not violated.
- e. **A summation** regarding the ultimate determination of culpability
- f. **Any recommended or required corrective actions**; these include remedies for the Complainant or disciplinary sanctions for the Respondent (if the Respondent is culpable). Any remedies should address how the Complainant's access to education (in the case of a student) or workplace equity (in the case of an employee) will be restored or preserved, as necessary, with an accompanying rationale.
- g. **Any applicable and subsequent procedural rights of the parties** within the complaint process

II. COMPLAINT PROCESS STEPS

Process Overview, Target Deadlines, and Extensions/Delays

Timing / “Days.” The following chart provides a step-by-step overview of the complaint process stages, with detailed descriptions indicated below. All steps should be completed as promptly as possible but no later than a target deadline unless there is good cause for delaying a deadline. The decision to postpone a deadline may be made by the Title IX Coordinator or the complaint official presiding over the current process stage. Reference to a “day” or number of days shall refer to a School business day unless otherwise noted. In the timeline chart below, a deadline marked with an asterisk indicates a calculation based on a calendar day, not a School business day. The date the School received actual notice of a complaint (formal or informal) constitutes the “Complaint Date” (Day 0). Target Deadlines calculated from the complaint date shall be adjusted by **adding ten (10) days when a party appeals an initial dismissal decision.**

Complaint Stage	Target Deadlines**

Date of complaint filing (i.e., the date that the School has actual notice of the complaint)	Complaint Date (“C”) C+0
T. IX Coordinator meets with Complainant to discuss the complaint, review rights, policies, processes, supportive measures, how to formalize the complaint, etc.	C+1 (Day)
Formal complaint finalized and signed if, after initial discussions and review, Complainant or T.IX Coordinator believe grounds exist to proceed with Complaint. <i>(Note: The Complainant shall have the right to formalize a Complaint even if T. IX Coordinator believes the matter should be referred for dismissal determination.)</i> T.IX Coordinator evaluates if grounds to dismiss the Complaint may exist and whether to forward the Complaint for a dismissal determination by the Director. <i>(Such referral and determination may also occur subsequently, as appropriate.)**</i>	C+3
If applicable, dismissal referral (by T. IX Coordinator) and Determination by Director <i>(Note: referral for and dismissal may also occur later in the process as new information arises or circumstances allow; the right to appeal any dismissal shall be made within 10 days of a Dismissal Determination.)**</i> Assignment of Investigator, Adjudicator, Initial Notice of Complaint to Parties	C+7
Final Investigation Report issued. Adjudication process initiated	C+30*
Adjudicator review of Final Investigative Report, the opportunity for parties to submit questions, further inquiry (as needed), Initial Determination issued.	C + 45*

Right to Request Appeal	Adjudicator Determination + 5
Appeal Determination	C + 60*

**A complaint proceeding may be subject to dismissal or *good cause* delay, potentially requiring comparable deadline extensions. In addition, Schools have the option to offer parties a hearing or comparable proceeding at any stage of the process.

In case of a good-cause delay, the parties and other affected persons shall be notified of the delay and its reasons. Good cause for a delay may include such things as an excusable absence of a party or witness due to illness, an unavoidable scheduling conflict; a law enforcement process affecting the complaint process; or the need to provide accommodation. Instances when students or non-administrative employees are not at the School, and such individuals are necessary to but not available in the Complaint process (e.g., teacher workdays, summer vacations, other breaks in classes and workdays).

Detailed Process Stages and Requirements

1. Filing and Formalizing a Complaint

Any person who believes s/he is a victim of prohibited conduct under the T.IX Policy (the "Complainant") is urged to report the matter to the T.IX Coordinator promptly.

Once the School has actual knowledge of misconduct under its Title IX Policy, it shall respond as promptly as feasible, generally within one day. Actual knowledge means notice of or allegations received by the Title IX Coordinator, a school official with authority to institute corrective measures, or any school employee.

Complaints may be informal or formal. An informal complaint is any notice to the School, by any reasonable means of communication (e.g., email, personal communication, written notice), of an allegation of misconduct under the Title IX Policy. A formal complaint is a detailed description of an informal complaint set forth in a standardized form provided by the School, completed by and signed by the Complainant or the Complainant's parent/guardian or advisor, or signed by the Title IX Coordinator.

2. Initial Response / Meeting with Complainant

When the complaint is filed, the T.IX Coordinator shall meet promptly with the Complainant. The Coordinator will inform the Complainant of the right to file a formal complaint and how

to do so, review the complaint process, answer the Complainant's questions, and provide Complainant with a copy of the T.IX Policy and Procedures.

3. Investigator and Adjudicator Appointment

The Title IX Coordinator shall appoint an objective, trained, competent, and unbiased Investigator and Adjudicator to the matter within seven days.

4. Notice of Complaint

The Title IX Coordinator will provide written notice of the complaint filing to the relevant parties and the Investigator. Such notice shall include the following:

- a. The names of the Complainant and the Respondent
- b. A brief summary of the essential allegations of wrongdoing
- c. A more detailed account of the relevant allegations and facts, including critical dates, actions, witnesses, and individuals with relevant knowledge
- d. The presumption of non-culpability of the Respondent
- e. The range of possible remedies and disciplinary sanctions following any determination of culpability
- f. The standard of evidence that will apply to investigative findings, recommendations, and any determinations
- g. Notice of any School code of conduct provision prohibiting the making or facilitating of any false statements or evidence in a grievance or complaint process
- h. That the parties may
 - have an advisor of their choice;
 - request to inspect and review the available evidence and a copy of the relevant code of conduct;
 - participate, by a mutual written agreement, in informal resolution when not involving a student allegation against an employee; and
 - appeal an initial complaint dismissal or Initial Determination

5. Investigation / Preliminary and Final Investigation Report

The Investigator shall begin to investigate the complaint as promptly as practicable, but usually no more than ten (10) working days from the date the School receives notice of the complaint. The Title IX Coordinator and Investigator shall have the complete cooperation of all persons during the investigation.

The investigation should be completed as promptly as possible but no later than thirty (30) calendar days from the date the School has notice of the complaint unless there is good cause

for a delay.

The Investigator shall meet with all individuals reasonably believed to have relevant information, including the Complainant, Respondent, and any witnesses to the alleged misconduct conduct or other persons who may have relevant knowledge or information. The Investigator shall not interview the Respondent without giving the Respondent reasonable time to prepare for such an interview following initial notice of the complaint.

The investigation shall be carried out as discreetly and confidentially as possible. The Investigator will objectively evaluate all relevant evidence and make all necessary credibility determinations.

Following a reasonably thorough investigation, the Investigator will prepare a Preliminary Report and simultaneously issue to the parties copies of the Report and evidence on which it relies. The Investigator shall notify the parties that they may have up to ten (10) days to submit to the Investigator written responses to the Initial Report, including any questions they wish the Investigator to ask of the other party or consider. The Investigator will promptly provide a copy of each party's response to the other party after s/he receives both responses or after the ten-day response period, whichever comes first. The Investigator shall objectively, equitably, and diligently consider and address the parties' written responses.

The Investigator shall prepare a Final Investigative Report, modifying the Initial Report as warranted by any party responses or other relevant considerations. The Final Report will be provided simultaneously to the parties, the Title IX Coordinator, and the Adjudicator within thirty (30) calendar days from the complaint notification date, unless good cause requires a postponement.

The Investigator's Preliminary and Final Reports shall address the required Report elements previously set forth in these procedures.

Adjudicator Determination. The complaint shall be resolved in a written Initial Determination issued by the School's appointed Adjudicator no sooner than ten (10) days after the Investigator issues the Final Report. The Initial Determination may reasonably adopt or incorporate any portion of the Investigator's Final Report and address the required Determination elements previously set forth in these procedures.

6. Appeals

Initial Dismissal Decision Appeals. A party has the *right* to appeal an Initial Dismissal Decision by the Director. In such instances, the matter shall be handled according to the procedures set forth previously. (See "Complaint Dismissals")

Initial Determination Appeals. A Party also has a right to appeal any Initial Determination by the Adjudicator, but only in the following circumstances and by showing with reasonable evidence,

- (1) a substantial procedural irregularity that affected the determination outcome;
- (2) new and relevant evidence that was not reasonably available when the determination was made; or
- (3) the Title IX Coordinator, Investigator, or Adjudicator had a demonstrable conflict of interest or bias that affected the outcome

An appeal of an Initial Determination may also be *allowed at the discretion of the Director* (or designee) if s/he believes other compelling reasons require such appeal.

An appeal request must be submitted in writing to the Title IX Coordinator within five (5) days following the Initial Determination, as the case may be, and shall clearly and concisely set forth the basis for a right to appeal, including all supporting evidence. Failure to submit a timely and substantively compliant appeal request shall constitute a waiver of any right to appeal.

The Title IX Coordinator will appoint an Appeal Officer or Panel to serve as an impartial decision-maker. The Hearing Officer/Panel shall review the parties' appeal submissions, the existing complaint process record, and any other relevant and available information deemed appropriate.

The Appeal Determination shall be issued as promptly as possible but no later than sixty (60) calendar days from the original complaint date, subject to any postponement for good cause. The Appeal Determination shall address the required Determination elements previously set forth in these procedures. There shall not be a right to any live, in-person hearing unless the Appeal Officer/Panel believes circumstances compel such a live hearing.

Upon receipt of a proper Initial Determination Appeal request, the Title IX Coordinator will issue a written notice to each of the parties that include the following:

- A copy of the appeal request and supporting documents
- The applicable appeal procedures, including the identity and role of the Appeal Officer/Panel
- The right of the parties (a) to submit to the Appeal Officer/Panel and written, relevant questions a party wishes to address to the other party or a witness, (b) to receive the answers to questions submitted, and (c) to allow for additional, limited follow-up questions from each party

- Relevant questions include only those that address whether grounds for appeal exist and their implications for the appeal determination
- A party is entitled to an explanation for any rejection of the party's submitted question

Corrective Actions. In cases involving a determination of Respondent's culpability, the School shall take appropriate corrective actions designed to prevent the misconduct from recurring and restore and preserves the Complainant's educational or workplace rights (as the case may be). Corrective actions include (a) appropriate remedies for the Complainant and (b) any appropriate disciplinary sanctions. Examples of such corrective actions are as follows.

a. Remedies. Remedies for a Complainant may include, but are not limited to, the following:

- Providing an escort to ensure that the Complainant can move safely between classes and activities;
- Ensuring the Complainant and perpetrator do not share classes or extracurricular activities;
- Moving the Respondent or Complainant (if the Complainant requests to be moved) to a different classroom or location;
- Providing services including medical, counseling, and academic support services, such as tutoring; or
- Training or retraining school employees on the School's responsibilities to address allegations of misconduct and how to conduct Title IX investigations;
- Developing materials on sexual discrimination and harassment, which should be distributed to all staff and students;
- Conducting bystander intervention and sexual discrimination and harassment prevention programs with students or staff;
- Conducting a School climate check to assess the effectiveness of efforts to ensure that the School is free from sexual misconduct, and using that information to inform future proactive steps that the School might take;
- Targeted training for a group of students if, for example, the sexual harassment created a hostile environment (i.e., on an athletic team);
- When the School cannot conduct a full investigation into a particular incident (i.e., when it received a general report of sexual violence without any personally identifying information), it should consider remedies for the broader student population in response.

b. Disciplinary Sanctions. Disciplinary sanctions against a culpable student or employee Respondent may include the following:

- **For Student:** verbal warning, written warning, interim suspension, restitution, suspension, expulsion, required training, counseling, required completion of a

probationary period without additional infractions, or requiring the Respondent to stay away from and not communicate with the Complainant in and during any School setting or activity.

- **For the employee:** verbal or written warning or reprimand, placement on a closely supervised action plan or probationary status, change of duties, salary penalty or reduction, suspension without pay, dismissal, reporting to law enforcement (in instances of illegal or potentially illegal activity related to the misconduct).

c. The T.IX Coordinator Oversight. The T.IX Coordinator is responsible for facilitating and documenting (a) the implementation of any remedy and (b) disciplinary sanctions carried out by appropriate School officials. If the Coordinator suspects or knows of a failure to implement required remedies and sanctions fully, the Coordinator will submit a written notice of concerns to the Director.

If you are a parent or guardian filling this form out on behalf of a minor complainant, please provide your contact information below.

Name:

Address:

Telephone number:

Email address:

You have the right to be represented by an advisor during the complaint process. The advisor may be but does not have to be an attorney. If you will be represented by an attorney or other advisor in presenting your complaint, please identify the person and provide the contact information below. If unknown at this time, you may provide this information at a later time.

Name:

Address:

Telephone number:

Email address:

Please list any additional individuals that you intend to bring with you to any meetings or interviews associated with this complaint and provide their contact information below. You may add pages or provide this information at a later time.

Name:

Address:

Telephone number:

Email address:

Please describe the facts and circumstances of the alleged sexual harassment causing this complaint. (Give specific, factual details. Attach additional sheets if necessary and indicate below how many additional pages will be attached to ensure complete receipt of your complaint.)

In a Title IX formal complaint process, the person who is alleged to have committed sexual harassment is called the “Respondent.” Please provide the name(s) of the person or people you allege to be the Respondent(s) responsible for the alleged sexual harassment. If applicable, please include each Respondent’s title or position (if an employee) or name and grade (if another student):

When and where did the alleged sexual harassment occur? Please provide specific dates, times, and locations, if possible, of each occurrence..

Please explain how the alleged sexual harassment has impacted you. This could include physical injuries and any impacts on your ability to access or benefit from the School’s education program or activities.

Please provide the names, titles/grades, and contact information of anyone who may have witnessed or knows of the alleged conduct.

If you have reported these allegations to another person, please state to whom you reported the alleged sexual harassment and provide their contact information (if known).

Title IX does not require complainants to attempt to resolve complaints of sexual harassment informally before filing a formal complaint. Nonetheless, if you have reported these allegations to a School employee, please state when, to whom, and what response you received.

Please list below any evidence that you believe is relevant to your allegations. This could include audio or visual media, physical objects, online materials, text messages, voicemail messages, screen captures, emails, or any other item you are attaching or intend to make available for the purpose of this complaint. If known, please also identify any information in the School's possession that you believe to be relevant to your allegations and would like the School to review (such as emails or security camera footage).

Please provide any other information that would be helpful for the School in reviewing your allegations.

Please describe the outcome or remedy you seek for this complaint.

Please provide below your physical or digital signature.

Complainant Name:

Signature of Complainant:

If Complainant is under 18,
parent/guardian's name:

Signature of parent/guardian:

Date of filing:

If this formal complaint is being signed by the School's Title IX Coordinator instead of a complainant:

Title IX Coordinator Name:

Title IX Coordinator Signature:

Date of filing:

Notice to Complainant: This document is a legal record of the allegations of sexual harassment that you have reported to the School to request a formal investigation. Please keep a copy of this completed form and any supporting documentation for your records. Please also review your rights and responsibilities as set for in the School's Title IX Sexual Harassment Policy (Harassment Policy) and the related Complaint Procedures (Procedures), which are available on the School website at: _____ ***[INSERT SCHOOL WEB LINK].***

Any questions or concerns you may have during this process may be directed to the School's Title IX Coordinator.

If, after reviewing your complaint form, the Title IX Coordinator finds that the allegations are not appropriate for a Title IX complaint process but should be investigated by the School under a different policy or procedure, your formal complaint form will be forwarded to the appropriate school personnel. You have the right to appeal the dismissal of your formal complaint, as explained in the Procedures.

Title IX Coordinator Contact Information:

[INSERT CONTACT INFORMATION]